IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

WEDNESDAY, THE SIXTH DAY OF JULY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE SRI BILAL NAZKI, THE ACTING CHIEF JUSTICE

And
THE HON'BLE SRI JUSTICE G.CHANDRAIAH

WRIT APPEAL NO : 1257 of 2005

(Writ Appeal under Clause 15 of the Letters Patent against the Order dated 06/04/2005 in WP NO : 347 OF 2004 on the file of the High Court.)

Between:

Sheraton Air Wings, Rep by its Manager Smt. J. Ramani, W/o. G. Abid Ali, Guntur District.

..... APPELLANT/RESPONDENT NO.3.

AND

1 Southern Central Railway, Rep by its Divisional Traffic Manager, Guntur.
2 South Central Railway Rep by its Divisional Railway Manager

(Commercial) Guntur Railway Division, Guntur.

….RESPONDENTS/RESPONDENTS.

3 M/s. RSN Travels Private Limited, 5-87-19, 2nd Lane, Lakshmipuram,

Guntur, Rep by its Managing Director Mr. Nishtala Rama Subrahmanyam,

53 years, R/o. Guntur.

.....RESPONDENT/WRIT PETITIONER.

Counsel for the Appellant : SMT.M.V.MADHURIMA
Counsel for the Respondents No.1 & 2 : MR.BH.R.CHOWDARY
Counsel for the Respondent No.3 : MR.S.RAVI

The Court at the admission stage, made the following :

–

–

–

–

–

–

–

–

JUDGMENT : (Per Hon'ble Sri Bilal Nazki, ACJ)

Writ petition had been filed by respondent No.3 in this appeal, challenging the appointment of respondent No.3 in the writ petition i.e. the present appellant as the Rail Travel Service Agent.

The case of the writ petitioner was that he was not considered for grant of Rail Travel Service Agency on the ground that he was facing a criminal prosecution. The learned Single Judge found that facing of the prosecution would not disentitle the writ petitioner from consideration, therefore, he allowed the writ petition and directed the official respondents to consider the petitioner's application afresh. No fault can be found with this direction of the learned Single Judge.

However, the learned Counsel for the appellant submits that the order of the learned Single Judge may be construed as having directed that only the respondent No.3 in this appeal i.e. the writ petitioner's case has to be considered. We do not think that is the import of the order of the learned Single Judge. The learned Single Judge has directed that a fresh selection be made, which would mean that all those who were eligible and had applied in accordance with the notification within the stipulated period of time, would have to be considered.

With these observations, we dispose of the writ appeal. No order as to costs.

_____

(BILAL NAZKI, ACJ)

6th July 2005.

_____

(G. CHANDRAIAH, J)

ajr

To

1 The Divisional Traffic Manager, Southern Central Railway, Guntur.
2 The Divisional Railway Manager (Commercial), South Central Railway,

Guntur Railway Division, Guntur.
3 The Managing Director, M/s. RSN Travels Private Limited, 5-87-19, 2nd

Lane, Lakshmipuram, Guntur,

4 2 CD copies

Form-NIC-OGS/WA {RS}